STATE OF NEW YORK

8653

2019-2020 Regular Sessions

IN ASSEMBLY

October 2, 2019

Introduced by M. of A. FAHY -- read once and referred to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to the liability of payroll processing companies

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general obligations law is amended by adding a new section 11-108 to read as follows:

§ 11-108. Liability of payroll processing company. Notwithstanding any other provision of law to the contrary, any person under contract to an employer to distribute the employer's payroll that intentionally prevents the distribution of such payroll pursuant to the contract with the employer shall be liable to an employee of the employer that failed to receive an expected payment for an amount up to three times the expected payment. Liability under this section is in addition to any other applicable penalties and causes of action. An action to recover damages under this section may be maintained as a class action, notwithstanding subdivision b of section nine hundred one of the civil practice law and rules.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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